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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,038	03/17/2004	Christian Decker	13909-152001 / 2003P00916	3461
32864 7590 04/09/2007 FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER LA, ANH V	
			ART UNIT	PAPER NUMBER
			2612	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/09/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/802,038

Applicant(s)

DECKER ET AL

Examiner

Anh V. La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/31/05, 9/29/05</u> . | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 6-21, 25-33, and 36-43 are rejected under 35 U.S.C. 102(e) as being anticipated by Saylor (US 6,661,340).

Regarding claim 1, Saylor discloses a document management system comprising a physical-document monitoring device comprising a document coupling device (column 8, line 35- col. 9, line 15), a sensor 212-216 coupled to the document coupling device, the sensor operable to sense a state of a document and to generate a signal representative thereof (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25), and a computer 220, 242 coupled to the sensor, the computer operable to determine a document state based on the signal.

Regarding claim 20, Saylor discloses a method for document management at a physical document comprising sensing a state of a document (212-216), generating a signal representing the documents state, determining the document state based on the signal, and generating a wireless signal representing the document state (fig. 1-8, col. 5, line 35- col. 9, line 15, col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

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Regarding claim 33, Saylor discloses an article comprising a machine-readable medium storing instructions operable to cause one or more machines to perform operations comprising determining whether a state of a document has been sensed (212-216), determining the document state, and generating a wireless message representing the document state (fig. 1-8, col. 5, line 35- col. 9, line 15, col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claims 6, 26, 37, Saylor discloses the document state comprising an environmental condition of the document (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claim 7, Saylor discloses the environmental condition comprising illumination (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claim 8, Saylor discloses a wireless communication device (figure 2).

Regarding claim 9, Saylor discloses the sent data comprising the determined document state (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claims 10, 28, 39, Saylor discloses state data for a non-physical version of document (fig. 2).

Regarding claims 11, 27, 38, Saylor discloses document meta-data (fig. 2).

Regarding claim 12, Saylor discloses a text string (fig. 1-8).

Regarding claims 13, 25, 36, Saylor discloses a document location (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claims 14, 29, 40, Saylor discloses an allowable document state (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claim 15, Saylor discloses a rule that expresses the allowable document state (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claims 16, 30, 41, Saylor discloses determining whether the allowable document state has been violated (col. 5, lines 15-30, col. 11, line 40- col. 12, line 25).

Regarding claims 17, 31, 42, Saylor discloses a displaying device providing a visual indication of physical document status (fig. 2-8).

Regarding claim 18, Saylor discloses a user input device (fig. 2).

Regarding claims 19, 32, 43, Saylor discloses a wireless message (fig. 1-8).

Regarding claim 21, Saylor discloses coupling a physical-document monitoring device to the document (fig. 2).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-5, 22, 23, 24, 34, 35, are rejected under 35 U.S.C. 103(a) as being unpatentable over Saylor in view of Yoshida (US 6,940,092).

Regarding claims 2, 3, 5, 22-24, 34, 35, Saylor discloses all the claimed subject matters as set forth above in the rejection of claim 1, but still does not disclose binding the document (claims 2, 22), the document state comprising the number of document pages (claims 3, 23, 34), the sensor sensing the pages based on capacitance (claim 5), and sensing an electrical value affected by a dielectric (claims 24, 35). Yoshida teaches

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the use of binding the document (511, figures 5-6), the document state comprising the number of document pages (col. 15, lines 35-55), the sensor sensing the pages based on capacitance (col. 15, lines 5-25), and sensing an electrical value affected by a dielectric (col. 8, lines 60-68). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include binding the document, the document state comprising the number of document pages, the sensor sensing the pages based on capacitance, and sensing an electrical value affected by a dielectric to the system of Saylor as taught by Yoshida for the purpose of sensing the state of the document.

Regarding claim 4, Saylor discloses the sensor comprising the document coupling device (col. 8, line 35- col. 9, line 15).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ehrensverd and Przygoda teach monitoring systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



**ANH V. LA**  
**PRIMARY EXAMINER**

Anh V La  
Primary Examiner  
Art Unit 2612

AI  
March 19, 2007